S.B.CRIMINAL MISC. BAIL APPLICATION NO.5276/2006

Date : 28.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. R.S. Choudhary for the applicants.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that a false case has been lodged against the applicants and that could be borne out by the fact that earlier First Information Report was lodged by the husband of the complaint against his brother-in-law and relatives wherein allegation is that they beat him. He submits that after deliberation this report has been lodged against the applicant. He further submits that the marriage took place 10 years ago.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully perused the FIR of the present matter and the earlier FIR lodged by the husband of the complainant.

Without expressing any opinion on the merit of the case while taking into consideration overall facts and circumstances of the present case, I deem it just and proper to grant anticipatory bail to the applicants. Accordingly, it is directed that in the event of arrest of applicants (1) Savitri w/o Hans Raj and (2) Raj Pal s/o Late Shri Hans Raj by I.O./S.H.O.in FIR No.656/2006 P.S. Hanumangharh, they shall be released on bail provided each of them furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

vij